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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/091,699	03/04/2002	Robert P. Mandal	AMAT/3771.P1/DD/LOW K/JW	7928
32588	7590	03/19/2004	EXAMINER	
APPLIED MATERIALS, INC. 2881 SCOTT BLVD. M/S 2061 SANTA CLARA, CA 95050			RAO, SHRINIVAS H	
			ART UNIT	PAPER NUMBER
			2814	

DATE MAILED: 03/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Advisory Action</b>	<b>Application No.</b> 10/091,699	<b>Applicant(s)</b> MANDAL, ROBERT P.	
	<b>Examiner</b> Steven H. Rao	<b>Art Unit</b> 2814	

**--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

THE REPLY FILED 26 February 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

**PERIOD FOR REPLY [check either a) or b)]**

- a) ☐ The period for reply expires \_\_\_\_\_ months from the mailing date of the final rejection.
- b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on \_\_\_\_\_. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☒ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
  - (b) ☐ they raise the issue of new matter (see Note below);
  - (c) ☒ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
  - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_.

3. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.
4. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☐ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☐ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: \_\_\_\_\_.

Claim(s) objected to: \_\_\_\_\_.

Claim(s) rejected: \_\_\_\_\_.

Claim(s) withdrawn from consideration: \_\_\_\_\_.

8. ☐ The drawing correction filed on \_\_\_\_\_ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_.
10. ☐ Other: \_\_\_\_\_

Continuation of 5. does NOT place the application in condition for allowance because: Applicants' arguments are not persuasive for the following reasons: Applicants' first contention that the examiner erroneously asserts a response was filed on May 22, 2003 to the Advisory action mailed on May 07, 2003 is not persuasive because the palm report at least as printed out on 3/2/04 clearly shows what the Examiner stated is correct. Further Applicants' contention that, Examiner erroneously asserts Applicants' admit that a RCE request was included with the response filed on May 22, 2003" is not persuasive because a careful reading of the O/A mailed 01/28/2004 will find that no mention of any Applicants' admission was stated therein. As the complete RCE request along with enclosures was only received by the PTO and entered on June 11, 2003 i.e. after the filing of the preliminary amendment. Applicants' first substantive argument with respect to claim 1 that the teachings of Scholsky should be limited to the ionic polymerization step that may occur in a low dielectric constant media or solvent is not correct because one skilled in the art would understand the media of low dielectric constant to mean the low dielectric constant field and not resist it to a medium or solvent. This is further verified by Applicants' specification " Back ground of the invention section pages 2-4 and specifically paras 0006 to para 0009 wherein reference is made to prior art reference Wo 99/41423 which describes a method and apparatus for depositing a low dielectric constant film by reaction of an organ silicon compound and an oxidizing gas " therefore one skilled in the art can only conclude that Scholsky's teachings including the specific mention of the low dielectric constant media are sufficient to show use of the polymers therein in a low K dielectric film. It is noted that the present rejection is a 103 rejection and the combined teachings of Grill and Scholsky teach siloxane, which contains silicon. The motivation to combine the teachings of Grill and Scholsky (as previously stated) is set out at least in Scholskycol.1 lines 35 to 38. Therefore Applicants' arguments regarding claim 1 and dependent claims 16, 18, 21, 26-28 and 35, 36 are not persuasive. Applicants' arguments regarding claim 5 is not persuasive because the combination of Grill and Scholsky teach compounds containing both silicon and aldehyde (Grill, further it is known that furfural, furfurloxyl and neopentyl compounds are aldehyde and further Scholsky specifically describes furfural or futurology and neopentyl compounds, for rest of the steps of claim 5 see rejections wherein Therefore claims 5 and claims 6-8, 29-32 and 37-38 are not allowable. Applicants' arguments with regard to claim 22 that Grill's alleged failure to name compounds that include a cyclic ring consisting of carbon and oxygen is at odds with teachings of Grill which specify compounds at least in col. 3 lines 12-24. The motivation to combine Grill and Scholsky was previously stated herein above. Therefore Applicants' arguments with regard to claims 22 and 23-25 and 33-34 are not persuasive. With respect to claims 35 and 37 Grill teaches first precursor of Si, C, O, and H gas to which oxidizing molecules like Oxygen can be added therefore c and oxygen together forms carbon dioxide which is used as an oxidizing gas is taught by Grill. .

SR  
04/08/04

LONG  
PRIMARY EXAMINER